

BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA



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Order Instituting Rulemaking Into
Implementation of Federal
Communications Commission Report and
Order 04-87, as it Affects the Universal
LifeLine Telephone Service Program.

Rulemaking 04-12-001
(Filed December 2, 2004)

**COMMENTS OF THE UTILITY REFORM NETWORK, THE NATIONAL CONSUMER
LAW CENTER, DISABILITY RIGHTS ADVOCATES AND THE LATINO ISSUES
FORUM ON THE PROPOSED DECISION ADOPTING STRATEGIES TO IMPROVE
THE CALIFORNIA LIFELINE CERTIFICATION AND VERIFICATION PROCESSES,
AND REINSTATING PORTIONS OF GENERAL ORDER 153 AND THE DRAFT STAFF
REPORT**

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I. INTRODUCTION

The Utility Reform Network, the National Consumer Law Center, Disability Rights Advocates and Latino Issues Forum (hereinafter referred to as "Joint Consumers") file these comments pursuant to the Draft Decision of ALJ Jones on April 3, 2007 adopting strategies to improve the California LifeLine Certification and Verification Processes and reinstating portions of General Order 153 ("Proposed Decision"). This Proposed Decision also includes the Communications Division's Report on Strategies to Improve the California LifeLine Certification and Verification Processes ("Staff Report"). Joint Consumers collectively represent low income consumers (including consumers with disabilities and consumers with limited English proficiency) who have much at stake in the LifeLine program. In order to serve our constituencies, Joint Consumers have been very active in this proceeding since the beginning because the Universal Lifeline Telephone Service ("LifeLine") program provides discounted basic phone service to approximately 3.5 million low-income Californians and has been an established and vital program to low-income Californians for decades. While we understood the original purpose of this proceeding as an effort to modify the program to comply with new federal certification and verification rules in order to preserve the over \$300 million in federal LifeLine funding,¹ Joint Consumers have, at every stage of this proceeding, sought to propose and endorse programmatic structures that would facilitate enrollment and minimize barriers to participation in order to preserve the high enrollment rate that the program had enjoyed prior to the change in the federal LifeLine rules.

We appreciate the challenges of implementing large changes to an existing program in an expedited manner, and we commend the hard work and concern of the Commission and Staff in their efforts to improve the certification and verification processes. Nonetheless, Joint Consumers believe that we are still in the midst of a long transition, and that much work remains in order to put the new California LifeLine program on a secure trajectory. Joint Consumers are committed to active participation in this process and respectfully offer these comments.

¹ LifeLine and Link-Up Report and Order and Further Notice of Proposed Rule making, WC Docket No. 03-109, FCC 04-97 (rel. Arl. 29, 2004).

II. DISCUSSION

A. Verification Processes May Start Prematurely

Joint Consumers are concerned that the current suspension that prevents consumers from being disqualified from the LifeLine program based on the problem-plagued verification processes may be lifted prior to proper resolution of all of the problems identified in the Proposed Decision and the Staff Report. While Joint Consumers acknowledge the hard work to improve the process by all the entities involved, we are not comfortable with the current status of some of the process changes. Joint Consumers propose that the suspension of the verification process continue for 3 more months to allow additional monitoring and strengthening of the changes to be instituted, if necessary. Nevertheless, Joint Consumers acknowledge the pressure to resume the verification process. So, in the alternative, Joint Consumers urge Commission Staff to carefully monitor the new verification processes and be ready to reinstitute a suspension if new or ongoing problems posing barriers to the participation of eligible consumers are found and brought to the Commission's attention.

B. Joint Consumers Support Many Aspects of the Proposed Decision

1. Expansion of the Deadline to Return Forms

The early experience of the program has shown that standard mail is unreliable and subject to extensive delay. Because of this, Joint Consumers support the proposed modifications to G.O. 153 to allow consumers more time to return their certification and verification forms as a reasonable interim measure.² However, it is imperative, from a consumer perspective, that all correspondence from the Certifying Agent to a consumer concerning his or her LifeLine service be sent first class mail as soon as possible. Use of standard mail is unacceptable because of the lack of guaranteed and timely delivery and the lack of returned mail when there are problems with the delivery. Joint Consumers also believe that web-based applications and coordination with community-based organizations ("CBOs") are other key avenues for consumers to access critical LifeLine documentation, and we have discussed this further on in our comments.

² See Proposed Decision, Ordering Paragraph ("O.P.") 1.

2. Continuation of the Working Groups

Joint Consumers support the continuation of regular Implementation and Marketing Working Group meetings as a critical tool for identifying and addressing issues related to the disruption and changes for consumers due to the major modifications to an established program.³ Even though it has been difficult for Joint Consumers to consistently attend and actively participate in all of these meetings, there is tremendous value in maintaining this open line of communication and forum to collectively work through problems. The Commission cannot, however, rely on this alone as the manner in which it disseminates update and asks for input on critical issues. Joint Consumers have proposed another avenue for communication in section G.2 below.

3. Audit of the Solix Contract

Joint Consumers support the prompt audit of the Solix contract.⁴ The results of the audit should be made public and available for analysis, with some allowance for proprietary information. Joint Consumers are extremely concerned about the problems consumers have experienced in their communications with Solix, and Solix's efforts to "resolve" such problems by eliminating consumers from the program. Throughout the proceeding, Joint Consumers have sought to ensure that consumers can rely on the information and response they receive, but the early experience of the revised program has displayed the numerous problems addressed in the Proposed Decision. Moving forward, consumers must receive better treatment, better information, and better communication.

Along with the audit of the contract should come benchmarks to determine if Solix is meeting expectations. Joint Consumers had proposed the establishment of service quality standards much earlier on in this proceeding, but our proposal was rejected.⁵ We urge the Commission to include in future contract modifications and future RFPs service quality standards for matters such as: (1) call-time response, (2) accuracy of information provided to consumers, (3) prompt delivery of Lifeline

³ See Proposed Decision, O.P. 13.

⁴ See *Id.*, O.P. 12.

⁵ See D.05-12-013 at 36-37. See also Joint Consumer Comments on the Draft Workshop Report (Aug. 5, 2005) at 18; Joint Consumer Comments on the Draft Decision (Nov. 22, 2005) at 7-8.

documentation; (4) prompt processing of carrier updates and (5) consumer complaints (including number of complaints and a metric regarding the time to resolve the complaint). These are useful tools for the Commission in ensuring that there is quality customer service provided by the certifying agent.

C. Concerns about Marketing and Outreach

Joint Consumers appreciate the efforts of the Staff and the Marketing Working Group and have been active and supportive of efforts to increase the number of "consumer touches" by the Certifying Agent (Solix) and the carriers as an immediate means of promoting the new LifeLine program to existing customers. However, adequate marketing and outreach of the substantially revised and expanded LifeLine program is critical for the successful transition from the old ULTS program to the new California LifeLine program and for maintaining a high participation rate. The short-term marketing and outreach discussed in the Proposed Decision and Staff Report focus primarily on educating existing customers facing a new verification process and helping customers who already know about the program work their way through the new certification process. Joint Consumers are concerned that without robust outreach and education efforts to a broader group of eligible consumers, participation rates will remain low because the much broader pool of eligible consumers will not know about the program, will not recognize the new name, the new program forms, the new certifying agent, or will not understand the new certification and verification process, and will not realize that there is now program-based eligibility.

It was not until the November 1, 2006 Assigned Commissioner Ruling and the November 13-14, 2006 workshop that Joint Consumers became aware of the serious lack of marketing and outreach for the revised LifeLine program, which targets only those consumers already identified by an existing narrower contract as "hard to reach" populations. The Commission has previously committed to the importance of outreach to all eligible consumers and obtaining the necessary resources for outreach.⁶ At this latest juncture Joint Consumers were, in essence, told that this crucial item was overlooked. Through the workshops, working groups and conversations with Staff and in earlier rounds of comments, Joint Consumers have pressed for expanded outreach efforts including better branding of the LifeLine program

⁶ See D.05-04-026 at 28, 35, O.P. 9, 10.

(to create a consistent look and message), development of materials promoting the program, creating a toll-free information hotline for basic information about the program, developing a web-based tool for accessing information, forms and other resources for help in enrolling in the program, training for CBOs in contact with eligible customers, coordination with agencies administering qualifying programs, and using public service announcements and press releases about the program. We hoped that during the suspension there would be resources available to launch a statewide marketing campaign about the new expanded LifeLine program to coincide with the lifting of the suspension, but soon learned that current resources for marketing and outreach were extremely limited. We appreciate that the Staff Report has captured many of our outreach ideas in its discussion of long-term outreach strategies,⁷ especially targeting outreach and education to a wider audience than just the hard to reach populations. In addition, Joint Consumers think it is important for marketing materials and branding efforts to be focus-group tested for effectiveness and hope that funding can be secured to cover these costs. Joint Consumers plan on participating in the long-term marketing and outreach discussions and urge the Commission to be explicit that education and outreach to the broader group of eligible consumers (as opposed to just the "hard to reach" populations) is appropriate during this transition phase and will be a major focus of the second phase of this proceeding.

D. Role of CBOs

From the time this proceeding was first initiated, Joint Consumers have been highlighting the utility and importance of CBOs as a way to ensure that consumers learn of changes to the LifeLine program and maintain their eligibility. Joint Consumers have also been seeking an expanded role for CBOs to draw eligible new consumers into the program. The proposals made by the various organizations that make up Joint Consumers are articulated in D.05-04-026, and the Findings of Fact recognize both that CBOs are "uniquely qualified to reach target populations," and that "CBO involvement is a key element to the success of the new ULTS certification program."⁸ Nevertheless, the

⁷ See Staff Report at 30-31.

⁸ See D.05-04-026 at 31-35.

Staff Report makes clear that CBOs to date have received only limited information on the new program (a single brochure, designed early in the process of evaluating the need for changes to the program's implementation), and limited opportunities for training regarding a program that continues to change. This can and should be improved.

The Proposed Decision discusses numerous changes that can be enhanced by CBO participation, including two of the five problems initially identified on page 8: CBOs should be enlisted to improve outreach to customers and to enhance customer recognition of the new program administrator. In order to do so, the increased short-term outreach efforts need to include greater outreach to CBOs, not just individual customers, in order to allow CBOs to provide consistent information, in a trusted venue, that will reinforce the outreach to be conducted by Solix and the carriers. In particular, CBOs can reinforce information to consumers regarding the timeline for forms to arrive, the appearance of Lifeline envelopes, and the need for prompt responses. However, this can only take place if the organizations themselves have accurate information to pass along to consumers.

On a long-term basis, Joint Consumers continue to believe that the process for both enrollment of new eligible consumers and verification of eligibility for existing program participants should be structured to facilitate CBOs' ability to assist consumers in completing forms. This can be done by allowing CBOs to maintain blank forms to offer to consumers who may contact the CBO for a different reason (currently, the consumer can only use the specific form sent by Solix as part of the problematic mailing process), as well as by moving to a web-based system. These issues must be included in the second phase of this proceeding.

E. Web-Based Enrollment and Verification

From the time this proceeding was first initiated, Joint Consumers have been advocating for web-based enrollment as a mechanism that can provide consumers with increased resources for participation in the Lifeline program. This is the case because it would allow consumers to access information at their own convenience. For those consumers without direct internet access, or for those with access, but who

also need assistance in filling out forms, web-based enrollment and verification would allow CBOs to work with consumers in accurately providing information.

While the Commission has stated and restated its intent to provide a web-based system for enrollment (for program-based eligibility only) and for verification,⁹ Joint Consumers are concerned that this aspect of the program will be lost in the ongoing focus on other implementation woes. The Proposed Decision does not list web-based tools as an item to be addressed in the new phase of the proceeding. The Staff Report, in contrast, does note the need to move forward with a web-based system, both in its chart as one of a series of long-term solutions, and in its narrative discussion.¹⁰ However, there is not yet any plan in place for moving forward, and Joint Consumers are concerned as to whether an appropriate system¹¹ can be developed in the allocated time while substantial effort and resources are being dedicated to addressing problems with the original roll-out. In addition, there are questions as to how the forms currently in use will need to be modified in order to allow for web-based interactions. The Commission needs to keep this in mind and make sure that the preliminary work to move forward takes place in a timely fashion, to avoid a later determination that the requirements would take too long or be too expensive.

F. First Contact versus Pre-qualification

It is imperative that the problems identified in the Proposed Decision and Staff Report not be addressed by increasing the burden on low income consumers. This means that eligibility for the Lifeline program should continue to be granted on first contact by a consumer with a carrier. The Staff Report identifies problems caused when new Lifeline customers are provided LifeLine discounts upon initially enrolling in the program, but are deemed ineligible for LifeLine and back billed for a number of charges.¹² The back billing can total \$100.00 or more, especially if the back billing is for several

⁹ See D.05-12-013, O.P. 4 and 5.

¹⁰ See Staff Report at 15.

¹¹ As previously noted, an appropriate system would be one that is accessible to people who use screen-readers. See D.05-12-013 at 50-51.

¹² See Staff Report at 32-33.

months.¹³ Back billing for \$100.00 or more is burdensome for these Lifeline applicants. Such customers may have incomes just above the Lifeline income guidelines, or may actually be within the LifeLine guidelines, but their applications may suffer from a number of the procedural defects detailed in the Proposed Decision and Staff Report. Back billing becomes increasingly burdensome for these customers the longer it takes to determine their eligibility.

Many of the Proposed Decision's changes to the certification process will extend the certification period. However, these changes are necessitated by the problems with the application process (in particular, the use of standard mail), not because of actions under the control of the consumers. Therefore, the burdens caused by the extended certification time should not be placed on these customers. Joint Consumers propose that LifeLine applicants whose eligibility for the program cannot be established should be provided at least a three month period in which to pay back billed charges. Such a policy is necessary to protect customers from the burdens caused by an extended certification period. This easily established rule should be added to the final decision in this phase.

Despite the risk of backbilling, Joint Consumers agree with Staff that issuance of the LifeLine discount at the consumer's initial contact with his or her carrier must be retained.¹⁴ The hardships "prequalification" would cause low-income consumers have been described many times by the consumer groups, including a detailed workshop focused on this very issue in the earliest phases of this proceeding. Requiring all LifeLine applicants, including the majority who are eligible for the program, to pay the upfront deposit, connection fee and regular rates during the now extended certification period would be burdensome and would deter customers from applying to the LifeLine program.¹⁵ The Commission must not reverse the long-standing practice, advocated by Joint Consumers from the start of this proceeding and most recently affirmed by D.05-04-026, of providing the LifeLine discount at the initial application.

¹³ *Id.*

¹⁴ *See* Staff Report at 33.

¹⁵ *Id.*

G. Process Concerns

1. The Commission Has A Limited Ability to Delegate Key Tasks to Staff

Ordering Paragraph 2 of the Proposed Decision states, "Staff is authorized to use the resolution process to present further changes to the General Order 153 for the Commission's consideration." Joint Consumers applaud the Staff for their work on these issues and recognize the valuable role Staff has historically had regarding universal service issues. However, Joint Consumers are uncomfortable with the proposal because it leaves such extensive discretion so as to violate the law and regulatory policy.

The Lifeline program is funded by ratepayers for the benefit of thousands of low income customers. Each of these stakeholder groups must have a say in the administration of this program. As this Commission is aware, there are limits on the types of duties it can delegate to its Staff. Generally, public agencies and officers cannot delegate powers that involve the exercise of discretion or judgment to subordinates unless statutorily authorized to do so. At the same time, the delegation of ministerial tasks is allowed to avoid the "wheels of government" from grinding to a halt.¹⁶ In this instance the Commission is proposing to delegate to Staff through the resolution process, so there would be official Commission action approving the proposed revisions to the program.¹⁷ This is a crucial distinction and must remain in the Proposed Decision.

Joint Consumers understand the Commission's concern about micro-managing the program and do not suggest it should stifle the Staff's ability to develop creative solutions. Joint Consumers are uncomfortable, however, with relying on resolution process as it exists in the Rules of Practice and Procedure. A stakeholder's opportunity to comment on a draft resolution is limited. First, it is unclear

¹⁶ *California School Employees Ass'n v. Personnel Comm. of the Pajaro Valley Unified School Dist*, 3 Cal. 3d 139 (1970) (power to employ or dismiss certain employees is vested in school district governing board and cannot be delegated to the Personnel Commission at the district). See also *Gaylord v. City of Pasadena*, 175 Cal. 433, 437 (1917) ("[A] denial to Congress of the right... to delegate the power to determine some fact or the state of things upon which the enforcement of its enactment depends, would be to stop the 'wheels of government' and bring about confusion, if not paralysis")

¹⁷ Joint Consumers note that Staff's proposal in its Report is that the Commission delegate authority to make "ministerial GO changes". The Ordering Paragraph leaves out the important qualification of "ministerial" that should be put back in.

whether consumer groups, for example, would even receive a draft resolution. Rule 14.2(c)(4) only requires that resolutions imposing a rule on carriers, such as changes to a General Order, would have to be served "on any person providing written comment solicited by Commission Staff (e.g., at a workshop or by letter) for purposes of preparing the draft resolution." But the Rules do not dictate who would be offered the opportunity to provide these initial comments. Rule 14.5 allows for comments on a draft resolution once it has been put on the Commission's agenda, but those comments must be in ten days prior to the Commission vote. Even assuming Staff complied with the Commission's open meeting rules and placed its resolution on the agenda in the appropriate amount of time, it would be on the consent agenda and hardly provide notice to consumers about the comment period.

To mitigate the potential due process harms, Joint Consumers propose that any draft resolution sent out for comments be submitted to the service list in this docket, and possibly sent to other "interested party" lists, providing an acceptable comment period of approximately 20 days. Then, once the resolution is placed on the Commission's agenda, a second notice should be sent to allow further comment to the Commission pursuant to Rule 14.5. Joint Consumers urge the Commission and Staff to approach this delegation issue conservatively to ensure no interested stakeholder is left out of the process on any important issue.

2. The Executive Director's Report Is an Important Tool

The Proposed Decision calls upon the Executive Director to "report once a month at our scheduled Commission meetings on the status of the LifeLine program."¹⁸ Joint Consumers support this requirement. However, this requirement should be expanded to help open the communication lines among stakeholder groups. The Final Decision should be much more explicit by requiring the report to be in writing and distributed to the service list. The Commission should set forth the elements of the report to include at a minimum: (1) monthly complaint or inquiry statistics regarding the LifeLine program gathered by CAB and Solix; (2) detailed implementation status for "fixes" necessary to both verification and certification processes, including statistics from CABs investigation on carrier call center

¹⁸ See Proposed Decision at 21.

compliance with G.O. 153; (3) any new issues or concerns, including the Solix system "glitches" as referenced on page 18 of the Proposed Decision, that have arisen during the reporting period; (4) aggregate numbers of processed applications separated by certification and verification for the reporting period; and (5) outreach efforts for the reporting period. Every other month the report should include complaint or inquiry statistics generated by the carriers on Lifeline issues.¹⁹

Such specificity in the Proposed Decision and then in the resulting report can only help the Commission keep a close eye on the developments in this proceeding. It also will help to keep stakeholder groups engaged in the process and allow them to provide additional information to the Commission regarding the issues covered in the report. While the organizations that make up Joint Consumers will do their best to participate consistently on the Implementation and Marketing Working Groups, that may not be enough. First, as mentioned above, it has proven very challenging for the consumer groups to dedicate enough resources to have consistent attendance at those meetings. Second, as became clear with the certification issues, not every important development is covered by those two groups. This report will also enable parties to have the same knowledge and understanding of the events to date in order to participate in the second phase of this process. Therefore, to get a comprehensive picture of the process, the Executive Director's report may be the best tool.²⁰

3. The Commission Should Not Lower Its Expectation for the Response Rate

The Proposed Decision notes that, "In addition, staff points out that California can learn a great deal from other states' experiences."²¹ Joint Consumers urge caution when relying on the experience of other states, in particular when considering an appropriate response rate. California's unique low income program is one of the largest and most successful when measured by penetration rate, catering to one of the most diverse low-income populations in the country. While it may be valuable to receive input and

¹⁹ Joint Consumers acknowledge that there may be Solix or carrier proprietary information included in the report and that such material may need to be redacted. However, the report should note the redaction and stakeholder groups should be allowed to protest the redaction and request the material.

²⁰ Joint Consumers acknowledges that the very detailed report being requested here may not be necessary for the long term but it should be produced over the next several critical months, perhaps at least to the end of the year.

²¹ See Proposed Decision at 21.

ideas from other states on very specific logistical and procedural solutions, Joint Consumers do not believe it would be beneficial to California consumers to rely too heavily on other states' experiences.

This is especially true on the issue of response rate. Joint Consumers note the Commission's frustration with the precipitous drop in the response rate upon the implementation of the new rules. As a result, Staff has asked, "Given the problems with the California Lifeline process since the federal changes, the open question is what, if any, benchmark should be used as an acceptable rate of response."²² Joint Consumers do not believe this should be an open question. It is too early in the implementation process to abandon a very reasonable expectation that the response rate will remain the same or close to the response rate as it was immediately prior to the change in the rules. This program is a well established and popular program that has been around for decades. Before this Commission settles for a lower response rate based on the experiences of other states, much more analysis will be needed to determine the reasons behind the lower response rates of those states and a much more robust outreach and marketing campaign must be implemented. Stakeholders, including Solix, should not be allowed to use the bumps (or craters) in the road during implementation as an excuse to set low expectations for long term performance.

Joint Consumers do not disagree with Staff's conclusion in its Report that the income certification requirements contributed to the drop in response rate. However, once the processes are operating smoothly, the problem with the carriers' customer service representatives providing correct and complete program information is resolved, and customer expectation is properly set through sufficient outreach, then the response rate should increase. Joint Consumers have yet to see any justification for why it would not return to previous levels. This is especially true for the verification process which remains as self-certification. Once the customer recognizes the new name and entity administering the program as well as the new form, and further training and processes are put in place, there is no reason why existing customers will not treat the Solix verification form the same as the past postcard from their

²² See Staff Report at 38.

carrier. The Commission should be focusing on ways to capitalize on the past successes of this program to maintain the response rate despite changes made to the program.

III. CONCLUSION

In conclusion, Joint Consumers urge the Commission and Staff to remain focused on the experience of consumers. Throughout both the Staff Report and the Proposed Decision, concerns about the problems with implementation of the revised LifeLine program are primarily described in terms of their impact on carriers, on Solix, and on CAB. The actual hardships being experienced by consumers are noted in passing or not at all. This is most glaring, but by no means unique, in the portion of the Staff Report addressing customer billing issues.²³ Here, the need to address these issues is predicated on the "major workload impact" that calls and written appeals to CAB have created. The proposed improvements are praised as being likely to "result in reductions to written complaints and calls to CAB." It is disturbing that the focus is on CAB's workload rather than the problems that lead numerous desperate consumers to appeal their bills.

In order to continue to represent the interests of the consumers who rely on the LifeLine program, Joint Consumers look forward to continuing to work with Staff and the other stakeholders as this proceeding moves to a second phase.

Respectfully submitted,

DATED: April 23, 2007

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²³ See Staff Report at 27.

EXHIBIT A

JOINT CONSUMERS' PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDERING PARAGRAPHS

PROPOSED FINDINGS OF FACT

##. Adequate outreach and marketing of the California LifeLine program to all eligible customers is critical for increasing enrollment in the program, especially during the transition to the new program.

##. Some of this decision's changes will result in a greater time period needed to determine a LifeLine applicant's eligibility for the program. As a result, applicants who are not determined to be eligible for LifeLine will be back billed for greater amounts, which may cause a burden on these customers.

##. The Executive Director's Report can serve as an important tool to keep all parties' and other interested stakeholders up to date on the implementation status of changes to the program, as well as new issues or concerns that arise going forward.

##. There has been no determination that changes to the program should prevent a return to previous response rates experienced by the carriers.

##. CBOs can enhance other outreach efforts by providing appropriate information in venues that are trusted by consumers.

##. In order to be an effective component of outreach efforts, CBOs must have accurate information and access to training on the revised LifeLine program.

##. A web-based enrollment and verification system, as previously identified by the Commission, can play an important role in enhancing consumer participation in the LifeLine program.

PROPOSED CONCLUSIONS OF LAW

##. In order to respond quickly to problems, Staff should make use of a modified resolution process to present further changes to the GO for Commission approval.

##. The Commission's legal authority to delegate tasks to Staff is limited but can include ministerial tasks.

##. To ensure all interested and affected entities have an opportunity to comments on changes to the GO, Staff shall distribute any proposed, draft resolutions for comment to the service list in this docket and any other interested individual or group, as deemed by the Staff. The comment period shall be no shorter than 20 days.

##. So as to ensure sufficient time for parties to comment on draft resolutions, Staff shall send a notice to the service list in this docket when a draft resolution has been placed on the Commission's meeting agenda.

PROPOSED ORDERING PARAGRAPHS

##. Staff is authorized to use the modified resolution process to present further changes to General Order 153 for the Commission's consideration.

##. Staff shall distribute any proposed, draft resolutions for comment to the service list in this docket and any other interested individual or group, as deemed by the Staff. The comment period shall be no shorter than 20 days.

##. Staff shall send a notice to the service list in this docket when a draft resolution has been placed on the Commission's meeting agenda.

##. The Executive Director shall report at the Commission's first regularly scheduled meeting of each month on the status of the LifeLine program. Those reports, which should include monthly complaint or inquiry statistics from CAB and Solix; aggregate numbers of processed applications separated by certification and verification; outreach efforts for the reporting period; in addition to information on any problems encountered, and the status of steps taken to implement program improvements, shall continue until the assigned Commissioner determines that they are no longer necessary.

##. Staff will coordinate outreach and marketing of the revised California LifeLine program for both hard to reach populations as well as the broader eligible population, with community-based organizations, agencies administering qualifying programs and consultants hired by the commission to perform education and outreach for LifeLine and other low-income utility programs.

##. LifeLine applicants whose eligibility for the program cannot be determined should be provided at least a three month period in which to pay any back billed charges.

##. The temporary suspension of portions of General Order 153 relating to the annual LifeLine verification process ordered by Decision 06-11-017 should be continued for a period not to exceed 3 months. During this time, Staff and interested parties should monitor the LifeLine verification and certification processes to ensure they are functioning adequately.

##. Outreach efforts must include providing updated information and increased access to training programs to CBOs.

##. Phase II of this proceeding will include an examination of ways to enhance CBOs' abilities to assist consumers in the certification and verification process, including an examination of ways to allow CBOs to maintain blank forms that can be submitted for initial enrollment or verification.

##. The timeline for creation of a web-based system as described in D. 05-12-013 at 50-51 shall not be delayed while other improvements to the LifeLine program are implemented.

CERTIFICATE OF SERVICE

I certify that I have, by electronic mail to the parties to which an electronic mail address has been provided, served a true copy of "Comments Of The Utility Reform Network, The National Consumer Law Center, Disability Rights Advocates And The Latino Issues Forum On The Proposed Decision Adopting Strategies To Improve The California Lifeline Certification And Verification Processes, And Reinstating Portions Of General Order 153 And The Draft Staff Report" on all known parties on R. 04-12-001.

Dated April 23, 2007, at Berkeley, California.

/s/

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